

02-03-06

1642
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Carlos F. Barbas III et al.)
)
 Application No. 10/078,757)
)
 Filed: February 19, 2002) Group Art Unit: 1642
)
 For: HUMANIZATION OF MURINE)
 ANTIBODY)
)
 Examiner: David J. Blanchard) Attorney Docket No. TSRI 598.0 Con.1

STATEMENT UNDER 37 CFR §1.824

Mail Stop SEQUENCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

A Computer Readable Form (CRF) of the replacement sequence listing for the above-identified application is submitted herewith on a 3.5 inch diskette in accordance with 37 CFR §1.824. I hereby state, to the best of my information and belief, that the sequence listing information in the Computer Readable Form is identical to the sequence listing in the replacement paper copy of the sequence listing submitted herewith. No new matter is added by this submission.

Respectfully submitted,

Dated: 2 February 2006

By: Talivaldis Cepuritis
 Talivaldis Cepuritis (Reg. No. 20,818)

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UNITED STATES DEPARTMENT OF COMMERCE

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/078757

EXAMINER

ART UNIT	PAPER
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DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

1. This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). This application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825. The drawings contain sequence disclosures that are encompassed by the sequence rules and require sequence identifiers (i.e., SEQ ID numbers). For example, Figures 2, 3, 4 and 8 contain sequences that require SEQ ID numbers. Alternatively, Applicant may amend the Brief Description of the Drawings with the respective SEQ ID numbers.

2. Additionally, Applicant's cooperation is requested in correcting minor informalities in the specification. For example, the amendment to the specification filed 10/18/04 updates the claim for priority on the first line of the specification, which should be amended to state: "This application is a continuation of US Patent Application Serial No. 08/986,016 filed on December 5, 1997, now abandoned." Appropriate correction is required.

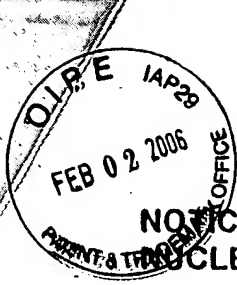
3. The amendment to the specification filed 10/18/04 also amended the paragraph beginning on page 12, line 25, however, the amendment provided the incorrect address for the ATCC. The ATCC address needs to be updated to: 10801 University Boulevard, Manassas, VA 20110-2209. Appropriate correction is required.

Applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Blanchard whose telephone number is (571) 272-0827. The examiner can normally be reached at Monday through Friday from 8:00 AM to 6:00 PM, with alternate Fridays off. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry Helms, can be reached at (571) 272-0832. The official fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Respectfully,
David J. Blanchard
571-272-0827

LARRY R. HELMS, PH.D.
SUPERVISORY PATENT EXAMINER



Application No. 10/078,751

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- For CRF Submission Help, call (703) 308-4212
- For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE